

REMARKS

Claims 1-20 are pending in this application.

The Examiner rejected claims 1-7, 10-15, 18, and 19 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,966,665 (*Taki*) in view of U.S. Patent No. 4,654,859 (*Kung*). Applicant respectfully traverses this rejection.

In the Final Office Action dated April 7, 2003, the Examiner stated that *Taki* disclosed all subject matter of claims 1 and 11 except using a voltage controlled oscillator (VCO) and frequency multiplier to select the second radio frequency. Applicant respectfully disagrees. *Taki* does not disclose selecting a first time frame, selecting an initial frequency using a VCO, and multiplying the initial frequency by a frequency multiplier to select a second frequency during the first time frame, as called for by claims 1 and 11. In the system of *Taki*, there is provided a hopping counter (34) that is incremented one value every time a new frequency hop phase is entered. When the value of the hopping counter reaches a predetermined maximum value, the hop number is reset to zero. The hop number of *Taki* is used as an index parameter to read hop frequency data from a hopping table 36, and the hop frequency data is output as an output signal (note col. 6, lines 26-32). *Taki*'s system however fails to teach to select an initial frequency by a voltage controlled oscillator of the first and second communication units and multiplying the initial frequency by a frequency multiplier to select a second radio frequency during the first time frame as defined by the independent claims of the present invention.

The Examiner uses *Kung* to provide a VCO and a frequency multiplier. However, merely adding the disclosure of a VCO and a frequency multiplier to *Taki* does not provide selecting an initial frequency using a VCO, nor does the combination provide selecting a second frequency by

multiplying the initial frequency during the first time frame, and subsequently performing communications in a second time frame, as called for by claims 1 and 11. In other words, *Taki* is missing more the elements of a VCO and frequency multiplication, which is provided by *Kung*.

Kung does not provide the selecting and initial frequency using a VCO. *Kung* also does not provide a second frequency by multiplying the initial frequency during the first frame. *Kung* discloses a channel hopping system that provides a VCO output that is divided (not multiplied) by factor (M) to produce an input reference frequency for a phase locked loop (see col. 3, lines 28-34, Figure 1). The mere mention of multiplying a frequency in *Kung* does not disclose multiplying an initial frequency to produce a second frequency during a first time frame, as called for by claims 1 and 11. Neither *Taki*, *Kung*, nor their combination disclose, teach, or obviate selecting an initial frequency using a VCO, nor does the combination provide selecting a second frequency by multiplying the initial frequency during the first time frame, and subsequently performing communications in a second time frame, as called for by claims 1 and 11. Therefore, claims 1 and 11 are allowable for at least the reasons cited above.

Independent claims 1 and 11 are allowable for at least the reasons cited above. Dependent claims 2-10 and 12-20, which depend from independent claims 1 and 11, respectively, are also allowable for at least the reasons cited above.

The Examiner rejected claim 20 under 35 U.S.C. § 103(a) as being unpatentable over *Taki* in view of *Kung*, and further in view of U.S. Patent No. 5,590,410 (*Deutsch*). Applicant respectfully traverses this rejection.

Applicant respectfully submits that claim 20 either directly or indirectly depends from independent claim 11 of the present invention. As described above *Taki* does not disclose selecting a second frequency by multiplying the initial frequency during the first time frame, and subsequently performing communications in a second time frame, as called for by claim 11. Also, as described above, *Kung* does not provide these elements in claim 11, and thereby in claim 20, which are not provided by *Taki*. Adding the disclosure of *Deutsch*, which the Examiner cites for providing an external telephone circuit as the PSTN, does not make up for this deficit. In other words, even adding the disclosures of *Kung* and *Deutsch* to *Taki* would still not provide all of the elements of claim 20. Therefore, for at least the reasons cited above, claim 20 is allowable.

Applicants further note and appreciate the Examiner's indication that claims 8, 9, 16, and 17 of the present invention include allowable subject matter.

In light of the arguments presented above, Applicant respectfully asserts that claims 1-20 are allowable. In light of the arguments presented above, a Notice of Allowance is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Houston, Texas telephone number (713) 934-4069 to discuss the steps necessary for placing the application in condition for allowance.

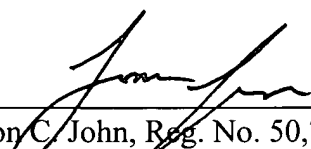
Respectfully submitted,

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